

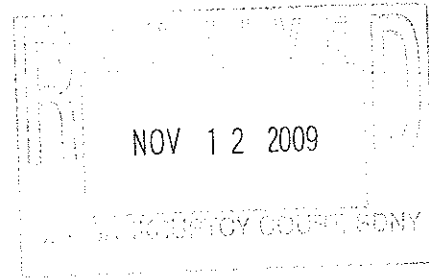
Phyllis Feiner and Harvey Feiner

200 So. Middle Neck Rd., F-4
Great Neck, NY 11021
Home: (516) 829-5957
Cellular: (516) 225-9796
e-Mail: phyllis81@aol.com

November 8, 2009

To: Clerk of the United States Bankruptcy Court
for the Southern District of New York
One Bowling Green
New York, New York 10004

To: Irving H. Picard, Trustee
c/o Baker & Hostetler LLP
45 Rockefeller Plaza
New York, New York 10111



Reference: Bankruptcy Case No. 08-1789 (BRL)

The Feiner Living Trust, dated 11/30/2005, Harvey Feiner and Phyllis Feiner, Trustees, with an address of 200 South Middle Neck Road, Apt. F-4, Great Neck, NY 11021, herein makes formal objection to, and is in disagreement with, the "Notice of Trustee's Determination of Claim" in the Bernard L. Madoff Investment Securities LLC liquidation proceeding.

We, the undersigned, are victims of the Bernard L. Madoff Investment Securities (BLMIS) fraud. Our revocable living trust had a BLMIS account number of 1-ZB241-3-0. We are in possession of the "Notice of Trustee's Determination of Claim," dated October 19, 2009, which responds to the claim we filed with the Trustee (SIPC) on February 24, 2009. The Trustee designated our claim as Claim Number 5552 and Claim Number 100125 and reportedly combined them for the purposes of the determination. We do not know why two claim numbers were assigned because we only submitted one claim.

Per the instructions contained in the Determination Letter from the Trustee, the purpose of this communication is to provide you with our "written opposition" and grounds for disagreement with the Trustee's determination of our SIPC claim.

- **Trustee improperly treated deposits of inheritance.** We deem it objectionable that the Trustee adjusted downward the amount deposited into our account from a separate BLMIS account opened by Jack Brodsky in 1998. The undersigned, Phyllis Feiner, is Jack's daughter. Jack's account was closed in May 2005 because of his death at age 95. According to the last BLMIS statement received by Jack, dated April 30, 2005, the value of his BLMIS account was

Objection to Determination Letter –Feiner Living Trust
Page 2 of 4 pages

\$385,573. Jack's revocable living trust provided for the grant of his estate's assets to his three children as their inheritance. Thus, each child received one third of the balance in Jack's BLMIS account: \$128,524.33, deposited to their respective BLMIS accounts. However, the Trustee is choosing to "adjust" the amount each child received from his/her deceased parent, allowing only \$55,667 per child based on his "cash-in minus cash-out" formula. The Trustee has thus performed "forensic accounting" on Jack's long-closed account, knowing that the account owner is no longer alive to challenge these adjustments. We believe the Trustee's treatment of the inheritance should parallel tax rules governing "stepped-up basis" with regard to distribution of the assets of an estate. The inheritance money was deposited via transfers to the surviving children's accounts simply as a matter of convenience. Had the inheritance instead been paid by check to each heir, and subsequently reinvested as new deposits to their respective BLMIS accounts, the Trustee would not be making any downward adjustment. We believe each child is entitled to the full amount of his/her inheritance. The post mortem "adjustment" by the Trustee is improper. (Document attached: Relevant page from our BLMIS monthly account statement dated May 31, 2005, showing transfer of funds from Jack Brodsky's account.)

- **Determining of account "Net Equity" is capricious.** Like several hundred other Madoff victims, we deem it objectionable that the Trustee has devised his own unique formula for determining the "net equity" in our BLMIS account ("cash-in minus cash-out") rather than our legitimate expectations that our BLMIS account had achieved a value of nearly \$400,000 over many years. Furthermore, the analysis performed by the Trustee failed to recognize that our account was originally held in joint ownership by Phyllis Feiner and her two siblings until May 13, 2005; at that point in time the account was divided three ways. However, in the Trustee's computation of "net equity," he has charged our "Feiner Living Trust" account with all withdrawals from this account for the 11 years prior to the split. ("Table 1" attached.) This is incorrect accounting. We understand that the court is already examining the Trustee's methodology for computing net equity, and that any subsequent rulings by the court will be applied to all related claims, including ours.
- **SIPA demands replacement of missing securities or their cash value.** We deem it objectionable that the Trustee has denied our claim for "securities" on the grounds that "no securities were ever purchased" for our account. According to Federal law (echoed publicly by SIPC president Steve Harbeck) SIPC exists to protect investors who are victimized because of failed brokerages, i.e., bankruptcies, fraud, and other catastrophes. BLMIS provided us with written documentation indicating legitimate securities were purchased for us on specific dates, in specific quantities, and at specific prices. Furthermore, all transaction slips and monthly statements we received from BLMIS matched market prices for those stocks on those dates exactly. To deny a BLMIS investor's claim for SIPC

Objection to Determination Letter –Feiner Living Trust
Page 3 of 4 pages

protection because the broker-dealer committed fraud and never actually purchased the securities is tantamount to nullifying Congressional intent in enacting the Securities Investor Protection Act. Under SIPA we believe SIPC is obligated to replace our missing securities, share for share, as shown on our November 30, 2008 BLMIS statement, up to the SIPC maximum protection amount. Only then can SIPC live up to its chartered purpose of instilling investor confidence in the market as the Congress intended.

- **Account “look-back” should be limited.** We deem it objectionable that the Trustee is applying his “cash-in minus cash-out” net equity formula looking back 16 years and more. It is our understanding that other applicable laws provide for a look-back period of only six years or less. In the interest of fairness and given the amounts paid on taxes on the “phantom” gains, the “look-back” should be limited.
- **Trustee’s determination is not equitable given the legitimate expectations as investors.** Our last statement from BLMIS, dated November 30, 2008 (copy attached), indicated to us that we owned shares of securities for approximately 35 well-known companies, valued at \$386,869.07. Our legitimate expectations as investors for 14 years with a broker-dealer whose letterhead and statements boasted SIPC membership was that BLMIS purchased these securities for us in the amounts and values stated, and that our investment was protected by SIPC.
- **“Cash-in minus cash-out” should not be applied to “Trust” accounts, as each beneficiary of the Trust is a SIPC customer entitled to SIPC insurance.** We deem it objectionable that the Trustee has elected to net out investments and withdrawals from a “trust” investment account. As previously stated, BLMIS Account No. 1-ZB241-3-0 was owned by the “Feiner Living Trust, dated 11/30/2005.” This is a revocable living trust, established and valid under New York state law. We question whether the Trustee has the authority to make adjustments based on his definition of net equity when the account owner is a valid Trust.

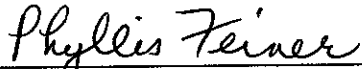
Documentation. We have already provided to the Trustee as much supporting documentation as could be found at the time we filed the claim. To this letter of objection we are attaching copies of the following: the Trust’s last BLMIS account statement (Nov. 30, 2008); the pertinent page from our May 31, 2005 BLMIS statement showing the transfer of funds from the late Jack Brodsky’s account; and the Certificate of Trust dated 11/30/2005.

The Trustee has denied our claim in its entirety, stating that the account does not have positive “net equity.” For reasons itemized above, we believe we are entitled to the full

Objection to Determination Letter --Feiner Living Trust
Page 4 of 4 pages

amount of our account balance as shown on our statement dated November 30, 2008,
either by replacement of the missing securities, or by compensatory check.

We are submitting these objections to the Trustee's Determination of Claim in
accordance with instructions provided by the Trustee.



Phyllis Feiner, Trustee of the Feiner
Living Trust, dated 11/30/2005



Harvey Feiner, Trustee of the Feiner
Living Trust, dated 11/30/2005

Affiliated with
Madoff Securities International Limited
12 Berkeley Street
Mayfair, London W1J 8DT
Tel 020 7493 6222

885 Third Avenue
New York, NY 10022
(212) 230-2424
800 334-1343
Fax (212) 838-4061

BERNARD L. MADOFF
INVESTMENT SECURITIES LLC
New York ☐ London

PHYLLIS FEINER
HARVEY FEINER TRUSTEES
FEINER LIVING TRUST
200 SO MIDDLE NECK ROAD APT F4
GREAT NECK NY 11021

PERIOD ENDING
11/30/08

PAGE
1

YOUR ACCOUNT NUMBER
1-ZE241-3-0

YOUR TAX PAYER IDENTIFICATION NUMBER
*******6867**

DATE	BOUGHT RECEIVED OR LONG	SOLO DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
11/12	336		1394	BALANCE FORWARD		22,463.45	
11/12	240		1896	WELLS FARGO & CO NEW	29.800	10,025.80	
11/12	208		5720	HEWLETT PACKARD CO	34.900	8,385.00	
11/12	136		6222	WAL-MART STORES INC	55.830	11,620.64	
11/12	504		10046	INTERNATIONAL BUSINESS MACHS	97.270	11,873.72	
11/12	552		10568	EXXON MOBIL CORP	72.880	36,751.52	
11/12	264		14874	INTEL CORP	14.510	8,031.52	
11/12	360		19199	JOHNSON & JOHNSON	59.580	15,739.12	
11/12	192		23525	J.P. MORGAN CHASE & CO	38.530	13,884.80	
11/12	112		27851	COCA COLA CO	44.660	8,581.72	
11/12	208		32177	MCDONALDS CORP	55.370	6,205.44	
11/12	760		36503	MERCK & CO	28.550	5,946.40	
11/12	384		40829	MICROSOFT CORP	21.810	16,605.60	
11/12	152		53807	ORACLE CORPORATION	17.300	6,658.20	
11/12	88		54309	PEPSICO INC	56.410	8,580.32	
11/12	648		58133	APPLE INC	100.780	8,871.64	
11/12	152		58635	PFIZER INC	16.940	11,002.12	
11/12	288		62459	ABBOTT LABORATORIES	54.610	8,306.72	
11/12	104		62941	PROCTER & GAMBLE CO	64.080	18,466.04	
11/12	200		66785	ANGEN INC	59.160	6,156.64	
11/12	480		67287	PHILLIP MORRIS INTERNATIONAL	43.600	8,728.00	
11/12	160		71111	BANK OF AMERICA	21.590	10,382.20	
11/12	520		71613	QUALCOMM INC	33.770	5,409.20	
11/12				CITI GROUP INC	12.510	6,525.20	
				CONTINUED ON PAGE 2			

Affiliated with
Madoff Securities International Limited
12 Berkeley Street
Mayfair, London W1J 8DT
Tel 020 7493 6222

885 Third Avenue
New York, NY 10022
(212) 230-2424
800 334-1343
Fax (212) 838-4061

BERNARD L. MADOFF
INVESTMENT SECURITIES LLC
New York ☐ London

PHYLLIS FEINER
HARVEY FEINER TRUSTEES
FEINER LIVING TRUST
200 SO MIDDLE NECK ROAD APT F4
GREAT NECK NY 11021

YOUR ACCOUNT NUMBER 1-ZB241-3-0	PERIOD ENDING 11/30/08	PAGE 2
YOUR TAX PAYER IDENTIFICATION NUMBER *****6867		

DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
11/12	120		75437	SCHLUMBERGER LTD	49.480	5,941.60	
11/12	288		75939	COMCAST CORP CL A	16.510	4,765.88	
11/12	568		79763	AT&T INC	27	15,358.00	
11/12	144		80265	CONOCOPHILIPS	52.510	7,566.44	
11/12	96		84089	UNITED PARCEL SVC INC CLASS B	52.040	4,998.84	
11/12	584		84591	CISCO SYSTEMS INC	16.730	9,793.32	
11/12	168		88415	U S BANCORP	29.530	4,967.04	
11/12	200		88917	CHEVRON CORP	73.430	14,694.00	
11/12	96		92741	UNITED TECHNOLOGIES CORP	53.160	5,106.36	
11/12	1,016		93243	GENERAL ELECTRIC CO	19.630	19,984.08	
11/12	272		97067	VERIZON COMMUNICATIONS	30.410	8,281.52	
11/12	24		97569	GOOGLE	337.400	8,097.60	
11/12		350,000	24000	U S TREASURY BILL DUE 2/12/2009	99.936		349,776.00
11/12				FIDELITY SPARTAN U S TREASURY MONEY MARKET DIV 11/12/08	DIV		30.02
11/12		24,524	19104	FIDELITY SPARTAN U S TREASURY MONEY MARKET	1		24,524.00
11/12	10,422		28472	FIDELITY SPARTAN U S TREASURY MONEY MARKET	1	10,422.00	
11/19				FIDELITY SPARTAN U S TREASURY MONEY MARKET DIV 11/19/08	DIV		1.25
CONTINUED ON PAGE 3							

Affiliated with
Madoff Securities International Limited
12 Berkeley Street
Mayfair, London W1J 8DT
Tel 020 7493 6222

885 Third Avenue
New York, NY 10022
(212) 230-2424
800 834-1343
Fax (212) 838-4061

BERNARD L. MADOFF
INVESTMENT SECURITIES LLC
New York ☐ London

PHYLLIS FEINER
HARVEY FEINER TRUSTEES
FEINER LIVING TRUST
200 50 MIDDLE NECK ROAD APT F4
GREAT NECK NY 11021

PERIOD ENDING
11/30/08

PAGE
3

YOUR ACCOUNT NUMBER
1-7B241-3-0

YOUR TAX PAYER IDENTIFICATION NUMBER
*******6867**

DATE	BOUGHT RECEIVED ON LONG	SOLO DELIVERED ON SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
11/19		10,422	54006	FIDELITY SPARTAN U S TREASURY MONEY MARKET	1		10,422.00
11/19	25,000		58440	U S TREASURY 81LL DUE 03/26/2009	99.926	24,981.50	
11/19	9,410		63042	FIDELITY SPARTAN U S TREASURY MONEY MARKET NEW BALANCE	1	9,410.00	
				SECURITY POSITIONS	MKT PRICE		
	568			AT&T INC	28.560		
	152			ABBOTT LABORATORIES	52.390		
	104			AMGEN INC	55.540		
	88			APPLE INC	92.670		
	480			BANK OF AMERICA	16.250		
	200			CHEVRON CORP	79.010		
	584			CISCO SYSTEMS INC	16.540		
	520			CITI GROUP INC	8.290		
	192			COCA COLA CO	46.870		
	288			COMCAST CORP	17.340		
				CL A			
	144			CONOCOPHILIPS	52.520		
	504			EXXON MOBIL CORP	80.150		
	1,016			GENERAL ELECTRIC CO	17.170		
				CONTINUED ON PAGE 4			

Affiliated with
Madoff Securities International Limited
12 Berkeley Street
Mayfair, London W1J 8DT
Tel 020 7493 6222

885 Third Avenue
New York, NY 10022
(212) 230-2424
800 334-1343
Fax (212) 838-4061

BERNARD L. MADOFF
INVESTMENT SECURITIES LLC
New York ☐ London

PHYLLIS FEINER
HARVEY FEINER TRUSTEES
FEINER LIVING TRUST
200 SO MIDDLE NECK ROAD APT F4
GREAT NECK NY 11021

PERIOD ENDING 11/30/08	PAGE 4
YOUR ACCOUNT NUMBER 1-ZB241-3-0	
YOUR TAX PAYER IDENTIFICATION NUMBER *****6867	

DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
	24			GOOGLE	292.960		
	240			HEWLETT PACKARD CO	35.280		
	552			INTEL CORP	13.800		
	136			INTERNATIONAL BUSINESS MACHS	81.600		
	360			J.P. MORGAN CHASE & CO	31.660		
	264			JOHNSON & JOHNSON	58.580		
	112			MCDONALDS CORP	58.730		
	208			MERCK & CO	26.720		
	760			MICROSOFT CORP	20.220		
	384			ORACLE CORPORATION	16.090		
	152			PEPSICO INC	56.700		
	648			PFIZER INC	16.430		
	200			PHILLIP MORRIS INTERNATIONAL	42.160		
	288			PROCTER & GAMBLE CO	64.350		
	160			QUALCOMM INC	33.570		
	120			SCHLUMBERGER LTD	50.740		
	9,410			FIDELITY SPARTAN	1		
	168			U S TREASURY MONEY MARKET	26.980		
	96			U S BANCORP	57.600		
	25,000			UNITED PARCEL SVC INC	99.971		
	96			CLASS B	48.530		
				U S TREASURY BILL			
				DUE 03/26/2009			
				3/26/2009			
				UNITED TECHNOLOGIES CORP			
				CONTINUED ON PAGE 5			

Affiliated with
Madoff Securities International Limited
12 Berkeley Street
Mayfair, London W1J 8DT
Tel 020 7493 6222

885 Third Avenue
New York, NY 10022
(212) 230-2424
800 334-1343
Fax (212) 838-4061

BERNARD L. MADOFF
INVESTMENT SECURITIES LLC
New York ☐ London

PHYLLIS FEINER
HARVEY FEINER TRUSTEES
FEINER LIVING TRUST
200 SO MIDDLE NECK ROAD APT F4
GREAT NECK NY 11021

PERIOD ENDING 11/30/08	PAGE 5
YOUR ACCOUNT NUMBER 1-28241-3-0	
YOUR TAX PAYER IDENTIFICATION NUMBER *****6867	

DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
	272 208 336			VERIZON COMMUNICATIONS WAL-MART STORES INC WELLS FARGO & CO NEW MARKET VALUE OF SECURITIES LONG 386,869.07 SHORT	32.650 55.880 28.890		

PLEASE RETAIN THIS STATEMENT FOR INCOME TAX PURPOSES

Affiliated with
Madoff Securities International Limited
12 Berkeley Street
Mayfair, London W1J 8DT
Tel 020 7493 6222

885 Third Avenue
New York, NY 10022
(212) 230-2424
800 334-1343
Fax (212) 838-4061

BERNARD L. MADOFF
INVESTMENT SECURITIES LLC
New York ☐ London

PHYLLIS FEINER
HARVEY FEINER TRUSTEES
FEINER LIVING TRUST
200 SO MIDDLE NECK ROAD APT F4
GREAT NECK NY 11021

PERIOD ENDING 11/30/08	PAGE 6
YOUR ACCOUNT NUMBER 1-78241-3-0	
YOUR TAX PAYER IDENTIFICATION NUMBER *****6867	

DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
				YEAR-TO-DATE SUMMARY			
				DIVIDENDS			2,837.18
				GROSS PROCEEDS FROM SALES			2,171,571.29

PLEASE RETAIN THIS STATEMENT FOR INCOME TAX PURPOSES

Affiliated with
Maddoff Securities International Limited
12 Berkeley Street
Mayfair, London W1J 8DT
Tel 020 7493 6222

885 Third Avenue
New York, NY 10022
(212) 230-2424
800 334-1343
Fax (212) 838-4061

BERNARD L. MADOFF
INVESTMENT SECURITIES LLC
New York ☐ London

PHYLLIS FEINER
HARVEY FEINER TRUSTEES
FEINER LIVING TRUST
200 SO MIDDLE NECK ROAD APT F4
GREAT NECK NY 11021

PERIOD ENDING **11/30/08** PAGE **1**

YOUR ACCOUNT NUMBER **1-78241-4-0** YOUR TAX PAYER IDENTIFICATION NUMBER *******6867**

DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT CREDITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
11/12				BALANCE FORWARD			22,464.00
11/12	8		45155	S & P 100 INDEX NOVEMBER 450 CALL	15.800		12,632.00
11/12			49481	S & P 100 INDEX NOVEMBER 450 PUT	17.800	14,248.00	
11/19		8	35585	S & P 100 INDEX DECEMBER 430 CALL	26		20,792.00
11/19	8		39910	S & P 100 INDEX DECEMBER 420 PUT	30	24,003.00	
11/19	8		44235	S & P 100 INDEX NOVEMBER 460 CALL	3	2,408.00	
11/19		8	48560	S & P 100 INDEX NOVEMBER 450 PUT	37		29,592.00
				NEW BALANCE			44,816.00
				SECURITY POSITIONS			
		8		S & P 100 INDEX DECEMBER 430 CALL	MKT PRICE 23.300		
				S & P 100 INDEX DECEMBER 420 PUT	16.500		
				MARKET VALUE OF SECURITIES			
				LONG			13,200.00
				SHORT			18,640.00

PLEASE RETAIN THIS STATEMENT FOR INCOME TAX PURPOSES

Affiliated with
Madoff Securities International Limited
12 Berkeley Street
Mayfair, London W1J 8DT
Tel 020 7493 6222

885 Third Avenue
New York, NY 10022
(212) 230-2424
800 334-1343
Fax (212) 838-4061

BERNARD L. MADOFF
INVESTMENT SECURITIES LLC
New York □ London

PHYLLIS FEINER
HARVEY FEINER JT WRDS

200 SO MIDDLE NECK ROAD APT F4
GREAT NECK NY 11021

PERIOD ENDING 5/31/05	PAGE 1
YOUR ACCOUNT NUMBER 1-78241-3-0	
YOUR TAX PAYER IDENTIFICATION NUMBER 090-28-6867	

DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
5/13				BALANCE FORWARD			5,424.94
5/13				FIDELITY SPARTAN	DIV		75.37
5/13				U S TREASURY MONEY MARKET	CW	213,110.10	
5/13				DIV 05/13/05	CW	213,110.10	
5/13		40,205	22465	TRANS TO 1ZA24530	1		40,205.00
5/13		300,000	22466	TRANS TO 1ZA68630	99.819		299,457.00
5/13				FIDELITY SPARTAN			
5/13				U S TREASURY MONEY MARKET			
5/13				U S TREASURY BILL			
5/13				DUE 06/09/2005			
5/13		300,000	22467	U S TREASURY BILL	99.864		299,592.00
5/13				DUE 06/02/2005			
5/13	13,472		22504	FIDELITY SPARTAN	1	13,472.00	
5/13	200,000		22507	U S TREASURY MONEY MARKET			
5/13				U S TREASURY BILL	99.819	199,638.09	
5/13				DUE 06/09/2005			
5/18	125,000		22709	TRANS FROM 1ZB35030	CA		128,524.33
5/18				U S TREASURY BILL	99.795	124,743.75	
5/18				DUE 6/16/2005			
5/18	3,780		22731	FIDELITY SPARTAN	1	3,780.00	
5/18				U S TREASURY MONEY MARKET			
5/18				CONTINUED ON PAGE 2			

Certificate of Trust

The undersigned Trustors and Trustees hereby certify the following:

1. This Certificate of Trust refers to the **FEINER LIVING TRUST**, dated November 30, 2005, and any amendments thereto, executed by **HARVEY FEINER** and **PHYLLIS FEINER** as Trustors.
2. The address of the Trustors is 200 SOUTH MIDDLE NECK RD APT F4, GREAT NECK, NEW YORK 11021.
3. The initial Trustees of the Trust are:

HARVEY FEINER
PHYLLIS FEINER

4. The present Trustees are:

HARVEY FEINER
PHYLLIS FEINER

5. The Social Security Number of either Trustor may be used as the Taxpayer Identification Number for the trust.
6. Our Trustees under our Trust Agreement are authorized to acquire, sell, convey, encumber, lease, borrow, manage and otherwise deal with interests in real and personal property in our Trust name. All powers of our Trustees are fully set forth in Article Fourteen of our Trust Agreement.
7. Our Trust has not been revoked and there have been no amendments limiting the powers of our Trustees over trust property.
8. No person or entity paying money to or delivering property to our Trustees shall be required to see to its application. All persons relying on this document regarding our Trustees and their powers over trust property shall be held harmless for any resulting loss or liability from such reliance. A copy of this Certificate of Trust shall be just as valid as the original.

The undersigned certify that the statements in this Certificate of Trust are true and correct and that it was executed in the County of Nassau, New York, on November 30, 2005.

Trustors:


HARVEY FEINER


PHYLLIS FEINER

Trustees:


HARVEY FEINER



PHYLLIS FEINER


SIGNATURE OF FIRST WITNESS


NAME OF FIRST WITNESS


STREET ADDRESS


CITY, STATE, ZIP


SIGNATURE OF SECOND WITNESS


NAME OF SECOND WITNESS


STREET ADDRESS

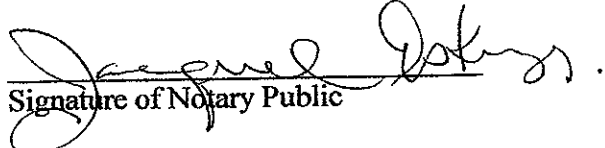

CITY, STATE, ZIP

STATE OF NEW YORK)

COUNTY OF NASSAU)

SS

On November 30, 2005, before me, the undersigned, a notary public in and for said State, personally appeared HARVEY FEINER and PHYLLIS FEINER, Trustors and Trustees, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacity, and that by their signatures on the instrument, the individuals, or the persons upon behalf of which the individuals acted, executed the instrument.


Signature of Notary Public

Prepared by:
Saul Kobrick
Law Offices of Saul Kobrick, P.C.
1305 Franklin Avenue, Suite 170
Garden City, NY 11530
(516) 248-9500 FAX (516) 248-7606

JACQUELINE ESKENASI
Notary Public, State of New York
No. 01ES6130547
Qualified in Nassau County
Commission Expires July 18, 2009

DEPOSITS			
DATE	TRANSACTION DESCRIPTION	AMOUNT	ADJUSTED AMOUNT
11/3/1994	CHECK	\$110,000.00	\$110,000.00
11/3/1994	CHECK	\$110,000.00	\$110,000.00
11/3/1994	CHECK	\$110,000.00	\$110,000.00
12/30/1994	TRANS FROM 1ZA16430	\$875.01	\$0.00
5/18/2005	TRANS FROM 1ZB35030	\$128,524.33	\$55,666.67
6/27/2005	CHECK	\$10,000.00	\$10,000.00
Total Deposits:		\$469,399.34	\$395,666.67
WITHDRAWALS			
DATE	TRANSACTION DESCRIPTION	AMOUNT	ADJUSTED AMOUNT
7/3/1995	CHECK	(\$1,720.00)	(\$1,720.00)
10/5/1995	CHECK	(\$1,000.00)	(\$1,000.00)
1/4/1996	CHECK	(\$4,550.00)	(\$4,550.00)
4/1/1996	CHECK	(\$29,850.00)	(\$29,850.00)
6/28/1996	CHECK	(\$4,785.00)	(\$4,785.00)
9/27/1996	CHECK	(\$10,000.00)	(\$10,000.00)
12/17/1996	CHECK	(\$10,500.00)	(\$10,500.00)
3/27/1997	CHECK	(\$8,500.00)	(\$8,500.00)
6/10/1997	CHECK	(\$14,000.00)	(\$14,000.00)
9/26/1997	CHECK	(\$8,500.00)	(\$8,500.00)
12/29/1997	CHECK	(\$8,500.00)	(\$8,500.00)
3/27/1998	CHECK	(\$13,000.00)	(\$13,000.00)
6/12/1998	CHECK	(\$21,000.00)	(\$21,000.00)
9/9/1998	CHECK	(\$10,000.00)	(\$10,000.00)
12/10/1998	CHECK	(\$9,000.00)	(\$9,000.00)
3/24/1999	CHECK	(\$7,500.00)	(\$7,500.00)
6/10/1999	CHECK	(\$9,500.00)	(\$9,500.00)
9/14/1999	CHECK	(\$8,000.00)	(\$8,000.00)
12/8/1999	CHECK	(\$9,000.00)	(\$9,000.00)
3/28/2000	CHECK	(\$12,000.00)	(\$12,000.00)
6/30/2000	CHECK	(\$9,000.00)	(\$9,000.00)
9/28/2000	CHECK	(\$9,200.00)	(\$9,200.00)
12/11/2000	CHECK	(\$8,000.00)	(\$8,000.00)
3/30/2001	CHECK	(\$10,000.00)	(\$10,000.00)
6/5/2001	CHECK	(\$6,000.00)	(\$6,000.00)
8/30/2001	CHECK	(\$5,500.00)	(\$5,500.00)
12/7/2001	CHECK	(\$6,200.00)	(\$6,200.00)
3/11/2002	CHECK	(\$7,300.00)	(\$7,300.00)
6/7/2002	CHECK	(\$7,500.00)	(\$7,500.00)

8/14/2002	CHECK	(\$10,000.00)	(\$10,000.00)
12/18/2002	CHECK	(\$10,500.00)	(\$10,500.00)
1/6/2003	CHECK	(\$10,000.00)	(\$10,000.00)
1/23/2003	CHECK	(\$10,000.00)	(\$10,000.00)
3/7/2003	CHECK	(\$8,000.00)	(\$8,000.00)
5/15/2003	CHECK	(\$4,500.00)	(\$4,500.00)
5/28/2003	CHECK	(\$7,200.00)	(\$7,200.00)
8/29/2003	CHECK	(\$8,300.00)	(\$8,300.00)
10/21/2003	CHECK	(\$2,200.00)	(\$2,200.00)
12/11/2003	CHECK	(\$9,500.00)	(\$9,500.00)
3/31/2004	CHECK	(\$1,300.00)	(\$1,300.00)
5/12/2004	CHECK	(\$33,570.00)	(\$33,570.00)
6/2/2004	CHECK	(\$3,200.00)	(\$3,200.00)
9/2/2004	CHECK	(\$6,200.00)	(\$6,200.00)
12/30/2004	CHECK	(\$6,500.00)	(\$6,500.00)
4/5/2005	CHECK	(\$6,000.00)	(\$6,000.00)
5/13/2005	TRANS TO 1ZA24530	(\$213,110.10)	\$0.00
5/13/2005	TRANS TO 1ZA68630	(\$213,110.10)	\$0.00
12/21/2005	CHECK	(\$12,000.00)	(\$12,000.00)
4/7/2006	CHECK	(\$12,000.00)	(\$12,000.00)
6/6/2006	CHECK	(\$5,000.00)	(\$5,000.00)
9/26/2006	CHECK	(\$18,000.00)	(\$18,000.00)
3/27/2007	CHECK	(\$22,000.00)	(\$22,000.00)
9/20/2007	CHECK	(\$20,000.00)	(\$20,000.00)
6/2/2008	CHECK	(\$15,000.00)	(\$15,000.00)
9/8/2008	CHECK	(\$13,000.00)	(\$13,000.00)
Total Withdrawals:		(\$949,795.20)	(\$523,575.00)
Total deposits less withdrawals:		(\$480,395.86)	(\$127,908.33)